
MINUTE 3 OF THE EXPERT PANEL
Invitations to comment

Alternative to Brynderwyn Hills [FTAA-2603-1178]

[15 July 2026]

Invitations to comment

[1] This minute addresses invitations to comment on the application under section 53 of the Fast-track Approvals Act 2024 (the Act). Comments from invited persons are due on or before **12 August 2026**, as explained further below.

Persons that must be invited to comment

[2] In accordance with section 53(2) of the Act, the Panel must invite comments from persons listed in sections 53(2)(a) to (n) of the Act. **Appendix 1** to this Minute provides the list of prescribed persons relevant to this project.

[3] Section 53(2)(h) and (i) state that the owners and occupiers of the land to which the substantive application relates and the land adjacent to that land must be invited to comment. The Environmental Protection Authority (**EPA**) has provided advice to the Panel based on the Guidance Note entitled: *FTA Guidance Material Identifying Adjacent Land* (June 2025 revision). In accordance with that guidance, the Panel has exercised its judgement to include land that does not have a common boundary but is close enough to form part of the context of the application site and could be considered adjacent (such as land separated by a road, rail corridor, or watercourse).

[4] After considering information provided by the Applicant¹ and the advice from the EPA, and having now reviewed the application material, the Panel has determined that the owners and occupiers of land shaded green, orange, and purple on the Map in **Appendix 2**, with the corresponding addresses listed in **Appendix 3**, should be invited to comment. While not directly adjacent, the land shaded in purple is considered close enough to be adjacent.

Persons that may be invited to comment

[5] Under section 53(3) of the Act, the Panel has a discretion to invite comments from any other person the Panel considers appropriate. The Panel has considered this matter and has determined that it is appropriate to invite comments from the following parties, for the reasons stated:

- (a) Te Rūnanga a Iwi o Ngāpuhi – identified as an “other Māori group with relevant interests” in the Section 18 report (Treaty settlements and other obligations);
- (b) Kōwhiri Te Awhina Hapū o Te Parawhau Hapū Incorporation – recognised by the Panel as an “other Māori group with relevant interests”, although not identified in the Section 18 report;
- (c) First Gas, Transpower and Northpower – identified as other parties the Applicant has engaged with, and utility operators potentially affected by the project.
- (d) The owners / occupiers of the following properties identified within the Assessment of Landscape and Visual Effects provided by the

¹ In response to the Panel’s request for information pursuant to section 67 of the Act dated 8 July 2026 (Refer Minute 1 of the Expert Panel dated 8 July 2026).

Applicant (dated 2 April 2026)² as being subject to at least a low-moderate adverse landscape or visual amenity effect:

- (i) 69 The Braigh, Waipu;
- (ii) 25 Tiria Lane, Waipu;
- (iii) 4212 State Highway 1, Waipu;
- (iv) 2414 State Highway 1, Brynderwyn;
- (v) 2416 State Highway 1, Brynderwyn.

Timing of comments

[6] The invitations to comment were issued on 15 July 2026 and the date for comments to be provided to the Panel (through the EPA) is **Wednesday 12 August 2026**, being 20 working days from the invitation date (section 54(1) of the Act).

[7] Comments must be made to the EPA before 5 p.m. on Wednesday 12 August 2026:

- (a) by email to substantive@fasttrack.govt.nz;
- (b) by post to Private Bag 63002, Wellington 6140, New Zealand; or
- (c) in person to Stewart Dawson's Corner, 366 Lambton Quay, Wellington 6011

[8] The application including any updated reports may be viewed on the Fast-track website here: [Substantive application](#)

[9] The Applicant provided the Panel with an updated set of information relating to certain aspects of the application on 14 July 2026. That information is summarised below. It has been published on the Fast-track website to enable the

² An updated version of this report (Revision B dated 13 July 2026) was provided to the Panel by the Applicant on 14 July 2026. The Panel has reviewed this report and notes that the revisions do not affect the list of owners/occupiers identified as being subject to at least a low-moderate adverse landscape or visual amenity effect listed at paragraph [5](c) of this Minute.

parties to review and comment on it as part of any comments they wish to make on the Application.

- Replacement designation, district (contamination), resource consent, wildlife approval and archaeological authority conditions (including maps);
- Replacement Volume B – Appendix D04 - Assessment of Landscape and Visual Effects;
- A draft Ecological Management Plan; and
- A memorandum on behalf of NZTA’s independent transport expert for the Project.

[10] Persons invited to comment are advised that:

- (a) The Fast-track website will be updated as information is made available to the Panel.
- (b) The Panel would be most assisted by commenters:
 - (i) Focussing on matters which the Panel is required to address in its decision-making under the Act.
 - (ii) Clearly identifying the specific area(s) of the application and/or topics (for example, the category of effect on the environment, the technical assessment challenged, etc) which the comment addresses. This will assist the Panel to quickly understand the focus of each comment and to group related feedback and other material for efficient review.
 - (iii) Considering whether they might join with other persons invited to comment who share similar views, to present a joint response. Joint responses assist the Panel by ensuring all relevant information is before it in an efficient form, enabling

appropriate review within the available timeframes.

- (c) If any information provided to the EPA is considered to be confidential, commercially sensitive, or contains tikanga-protected information, commentators should clearly mark it as “Restricted” and identify any required redactions so that this can be managed appropriately. Note that all restricted material will be provided to the Panel by the EPA in its unredacted form, to enable the Panel to consider whether confidentiality orders are required. It is likely that the Panel will also need to provide the unredacted material to the Applicant for natural justice purposes. If necessary, the EPA will consult with the provider of the information first to discuss the options available.

Unsolicited correspondence

[11] The Panel convenor received early unsolicited correspondence from two parties that was not directly addressed to the Panel requesting that those parties be invited to comment on the application. Those requests were passed on to the Panel for consideration. The Panel has directed the EPA to invite both parties to comment on the application, for the reasons given below:

- (a) Memorandum from Kōwhai Te Awhina Hapū o Te Parawhau Hapū Incorporation, dated 27 May 2026. As noted at paragraph [5](b) above, the Panel has exercised its discretion to invite this group, associated with a hapū of Te Parawhau, as an “other Māori group with relevant interests” in the area affected by the project;
- (b) Letter from Bryham Farms Ltd, dated 19 May 2026. This company has been identified by the EPA as falling within the category of “owners and occupiers of the land to which the substantive application relates” and is therefore included in the list of parties

referred to in paragraph [3] above.

[12] The Panel notes that, where unsolicited correspondence includes details or information relating to the Panel's substantive decision-making, that material should be formally re-submitted as part of any comments lodged with the EPA in response to the Panel's invitation to comment. This process is required by the Act. It ensures that information to be considered by the Panel is placed before the Panel in a formal and organised manner, and that the Applicant is provided with an opportunity to respond.



Mary Hill

Alternative to Brynderwyn Hills Expert Panel Chair

Appendix 1

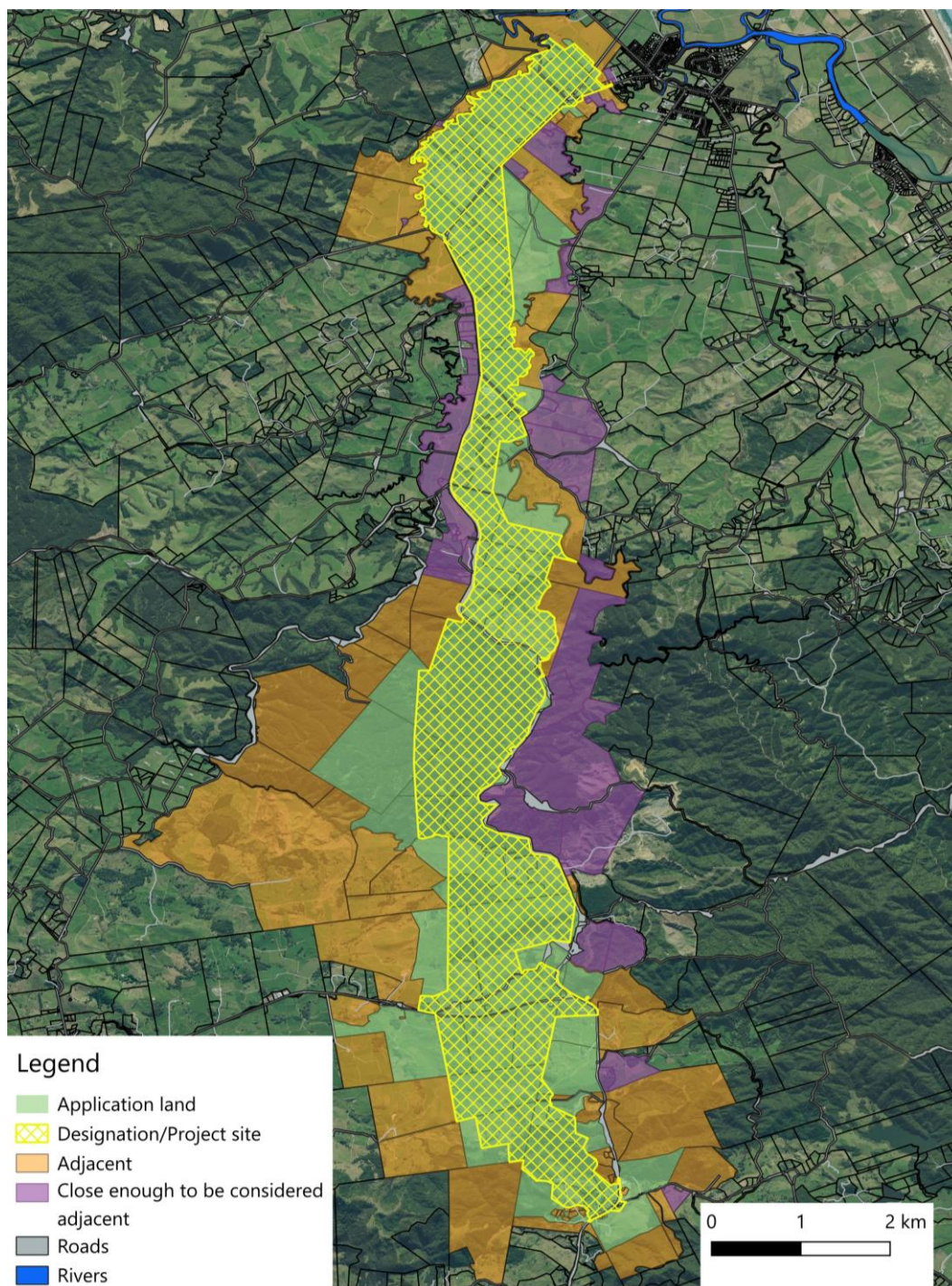
Section of Act	Description from Act	Party identified
53(2)(a)	the relevant local authorities	Northland Regional Council Kaipara District Council Whangarei District Council
53(2)(b)	the relevant iwi authorities	Te Uri o Hau Settlement Trust, representing Te Uri o Hau Te Rūnanga Ngāti Whātua, representing Ngāti Whātua Ngātiwai Trust, representing Ngātiwai Patuharakeke Te Iwi Trust Board, representing Patuharakeke Te Pouwhenua o Tiakiriri Kukupa Trust, representing Te Parawhau ki Tai
53(2)(c)	any relevant Treaty settlement entities, including, to avoid doubt,— (i) an entity that has an interest under a Treaty settlement within the area to which the substantive application relates; and (ii) an entity operating in a collective arrangement, provided for under a Treaty settlement, that relates to that area	Te Uri o Hau Settlement Trust Te Rūnanga o Ngāti Whātua
53(2)(d)	any protected customary rights groups and customary marine title groups whose protected customary rights area or	NA

	customary marine title is within the area to which the substantive application relates	
53(2)(e)	any applicant group under the Marine and Coastal Area (Takutai Moana) Act 2011 that is identified in the report prepared under section 18 or 49 and seeks recognition of customary marine title or protected customary rights within the area to which the substantive application relates	NA
53(2)(f)	Ngā hapū o Ngāti Porou if the area to which the substantive application relates is within or adjacent to, or the activities to which it relates would directly affect, ngā rohe moana o ngā hapū o Ngāti Porou	NA
53(2)(g)	The tangata whenua of any area within the area to which the substantive application relates that is a taiāpure-local fishery, a mātaihai reserve, or an area that is subject to bylaws or regulations made under Part 9 of the Fisheries Act 1996	There are none of these areas within the project area. To the extent such areas might be affected by the project although located outside the project area, the s18 report indicates that Patuharakeke and Te Uri o Hau would be best placed to comment. Both groups have been invited to comment as relevant iwi authorities.
53(2)(h)	owners of the land to which the substantive application relates (Owners of land adjacent to that land are covered in Table 2 as the panel must exercise judgement on what is considered adjacent)	See Appendix 2.
53(2)(i)	occupiers of the land to which the substantive application relates unless, after reasonable inquiry, an occupier cannot be identified (Occupiers of land adjacent to	See Appendix 2.

	that land unless, after reasonable inquiry, an occupier cannot be identified are covered in Table 2 as the panel must exercise judgement on what is considered adjacent)	
53(2)(j)	The Minister for the Environment and other relevant portfolio Ministers	Minister for Infrastructure Minister for the Environment Associate Minister for Transport Minister for Arts, Culture and Heritage Minister for Treaty of Waitangi Negotiations Minister of Conservation Minister for Building and Construction Minister for Land Information Minister for Regional Development Minister for Climate Change Minister for Māori Crown Relations: Te Arawhiti
53(2)(k)	relevant administering agencies	Heritage New Zealand Pouhere Taonga Department of Conservation Ministry of Cities, Environment, Regions and Transport
53(2)(l)	any requiring authority that has a designation on land to which the substantive application relates or on land adjacent to that land	NZ Transport Agency Waka Kotahi
53(2)(m)	if the approvals sought in the substantive application include— (i) an approval described in section 42(4)(a) or (d) (resource	The Director-General of Conservation: Iwi authorities and groups that represent hapū that are parties

	consent or designation), the persons and groups listed in clause 13 of Schedule 5: (iv) an approval described in section 42(4)(h) (wildlife approval), the persons listed in clause 4 of Schedule 7:	to relevant Mana Whakahono ā Rohe or joint management agreements New Zealand Conservation Authority; and Te Rūnanga Papa Atawhai o Te Tai Tokerau (Northland Conservation Board) New Zealand Fish and Game Council; and the Game Animal Council.
53(2)(n)	any persons or groups specified by the Minister under section 27(3)(b)(iii).	N/A

Appendix 2



Appendix 3

Land parcels whose owners and/or occupiers are invited to comment

36 Finlayson Brook Road, Waipu	180 Hurndall Street West
20 Schultz Road, Waipu	33 Baldrock Road
173 Ahuroa Road, Waipu	2416 SH1
179 Ahuroa Road, Waipu	3888 State Highway 1
277 Tain Road, Maungaturoto	3930 State Highway 1
85 Millbrook Road, Waipu	7 Finlayson Brook Road
4683 State Highway 1, Waipu	39 Marlborough Street
188 Glenmohr Road, Waipu	89 The Braigh
88 Glenmohr Road, Waipu	13 Foundries Lane
25 Tiria Lane, Waipu	3781 State Highway 1
33 Tiria Lane, Waipu	90 The Braigh
4480 State Highway 1, Waipu	45 Wairimu Way
4569 State Highway 1, Waipu	60 The Braigh
4478 State Highway 1, Waipu	3783 State Highway 1
36 Glenmohr Road, Waipu	324 Glenmohr Road
4649 State Highway 1, Waipu	3884 State Highway 1
2414 State Highway 1, Brynderwyn, Maungaturoto	91 The Braigh
2395 State Highway 1, Kaiwaka	95 Glenmohr Road
2447 State Highway 1, Brynderwyn, Maungaturoto	64 The Braigh
2458 State Highway 1, Brynderwyn, Maungaturoto	62 Shoemaker Road
33 Baldrock Road, Brynderwyn, Maungaturoto	111 Shoemaker Road
3868 State Highway 1, Waipu	271 Millbrook Road

105 The Braigh, Waipu	54 The Braigh
107 The Braigh, Waipu	91 Cullen Road
3823 State Highway 1, Waipu	4800 State Highway 1
3906 State Highway 1, Waipu	10 Lang Road
62 Shoemaker Road, Waipu	47 Millbrook Road
3783 State Highway 1, Waipu	3971 State Highway 1
3838 State Highway 1, Waipu	7 Argyle Street
3846 State Highway 1, Waipu	35 Bates Road
3935 State Highway 1, Waipu	302 Massey Road
157 Ahuroa Road, Waipu	4135 State Highway 1
3819 State Highway 1, Waipu	4569 State Highway 1
159 Ahuroa Road, Waipu	3886 State Highway 1
68 The Braigh, Waipu	3906 State Highway 1
3785 State Highway 1, Waipu	2471 State Highway 1, Brynderwyn, Maungaturoto
8 Millbrook Road, Waipu	2475 State Highway 1, Brynderwyn, Maungaturoto
3904 State Highway 1, Waipu	164 St Mary's Road, Waipu
239 State Highway 12, Maungaturoto	89A The Braigh, Waipu
274 Tain Road, Maungaturoto	89 The Braigh, Waipu
195 State Highway 12, Brynderwyn, Maungaturoto	91 The Braigh, Waipu
218 State Highway 12, Brynderwyn, Maungaturoto	48B The Braigh, Waipu
109 State Highway 12, Brynderwyn, Maungaturoto	60 The Braigh, Waipu
37 Brynderwyn Road, Brynderwyn, Maungaturoto	69 The Braigh, Waipu
84 State Highway 12, Brynderwyn, Maungaturoto	57 The Braigh, Waipu
94 State Highway 12, Brynderwyn, Maungaturoto	3817 State Highway 1, Waipu
2730 State Highway 1, Brynderwyn, Maungaturoto	3781 State Highway 1, Waipu
2753 State Highway 1, Brynderwyn, Maungaturoto	3924 State Highway 1, Waipu

47 State Highway 12, Brynderwyn, Maungaturoto	3930 State Highway 1, Waipu
2590 State Highway 1, Brynderwyn, Maungaturoto	3884 State Highway 1, Waipu
2628 State Highway 1, Brynderwyn, Maungaturoto	3886 State Highway 1, Waipu
67 Brynderwyn Road, Brynderwyn, Maungaturoto	3888 State Highway 1, Waipu
4800 State Highway 1, Waipu	3821 State Highway 1, Waipu
4647 State Highway 1, Waipu	47 Millbrook Road, Waipu
2941B State Highway 1, Brynderwyn, Maungaturoto	58 The Braigh, Waipu
26 Brynderwyn Road, Brynderwyn, Maungaturoto	123 Ahuroa Road, Waipu
5043 State Highway 1, Waipu	2941B State Highway 1
2523B State Highway 1, Brynderwyn, Maungaturoto	2941A State Highway 1
2523A State Highway 1, Brynderwyn, Maungaturoto	117 Hurndall Street East
66A Brynderwyn Road, Brynderwyn, Maungaturoto	195 State Highway 12
23 Piroa Road, Maungaturoto	108 Lucerne Road
258 St Mary's Road, Waipu	137 State Highway 12
38 Finlayson Brook Road, Waipu	84 State Highway 12
50 Ryan Road, Waipu	New Zealand Transport Agency C/- Darroch Limited
7 Finlayson Brook Road, Waipu	63A Brynderwyn Road
4068 State Highway 1, Waipu	37 Brynderwyn Road
8 Waipu Gorge Road, Waipu	63 Brynderwyn Road
10 Brooks Road, Waipu	164 State Highway 12
4164 State Highway 1, Waipu	203 Pukenui Road
4100 State Highway 1, Waipu	2860 State Highway 1
3971 State Highway 1, Waipu	25 Sh 12
4135 State Highway 1, Waipu	97 State Highway 12
4212 State Highway 1, Waipu	274 Tain Road
4245 State Highway 1, Waipu	45 Garnet Road

4321 State Highway 1, Waipu	10 State Highway 12
186 Glenmohr Road, Waipu	10 Depot Road
24 Ryan Road, Waipu	2587 State highway 1
95 Glenmohr Road, Waipu	533 Settlement Road
57 Tiria Lane, Waipu	2395 State Highway 1
11 Tiria Lane, Waipu	2395F State Highway 1
314 St Mary's Road, Waipu	2395B State Highway 1
4351 State Highway 1, Waipu	2471 State Highway 1
4482 State Highway 1, Waipu	2395E State Highway 1
4484 State Highway 1, Waipu	3/2471 State Highway 1
90 Glenmohr Road, Waipu	166 Mountain Road, Maungaturoto
4476 State Highway 1, Waipu	2523 State Highway 1, Brynderwyn, Maungaturoto
12 Brooks Road, Waipu	2941C State Highway 1, Brynderwyn, Maungaturoto
99 The Braigh, Waipu	2941D State Highway 1, Brynderwyn, Maungaturoto
90 The Braigh, Waipu	163 State Highway 12, Brynderwyn, Maungaturoto
50 The Braigh, Waipu	137 State Highway 12, Brynderwyn, Maungaturoto
54 The Braigh, Waipu	2545 State Highway 1, Brynderwyn, Maungaturoto
64 The Braigh, Waipu	2734 State Highway 1, Brynderwyn, Maungaturoto
56 Millbrook Road, Waipu	2473 State Highway 1, Brynderwyn, Maungaturoto
164 State Highway 12, Brynderwyn, Maungaturoto	2682 State Highway 1, Brynderwyn, Maungaturoto
116 Brynderwyn Road, Brynderwyn, Maungaturoto	2587 State Highway 1, Brynderwyn, Maungaturoto
63 Brynderwyn Road, Brynderwyn, Maungaturoto	2416 State Highway 1, Brynderwyn, Maungaturoto
66 Brynderwyn Road, Brynderwyn, Maungaturoto	40 Baldrock Road, Brynderwyn, Maungaturoto
97 State Highway 12, Brynderwyn, Maungaturoto	9 Baldrock Road, Brynderwyn, Maungaturoto

2941A State Highway 1, Waipu	236 Glenmohr Road Waipu
10 State Highway 12, Brynderwyn, Maungaturoto	187 Millbrook Road Waipu
25 State Highway 12, Brynderwyn, Maungaturoto	232 Glenmohr Road Waipu
2669 State Highway 1, Brynderwyn, Maungaturoto	188 Glenmohr Road Waipu
Waipu Gorge Road Waipu	234 Glenmohr Road Waipu
78 Ryan Road Waipu	188 Glenmohr Road Waipu
Finlayson Brook Road Waipu	Millbrook Road Waipu
Waipu Gorge Road Waipu	238 Glenmohr Road Waipu
Section 14 SO 418102	Lot 1 DP 61490
Section 9 SO 418102	Lot 2 DP 617876
Allot 377 PSH OF Waipu	Lot 1 DP 95451
Allot 609 PSH OF Waipu	Section 9 SO 373003
Part Allot 9 PSH OF Waipu	Section 5 SO 389660
Part Allot 150 PSH OF Kaiwaka	Part Allot 253 PSH OF Waipu
Lot 5 DP 612956	Allot 589 PSH OF Waipu
Part Allot 198 PSH OF Waipu	
Section 3 SO 389660	